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**From:** Ex. 6 Personal Privacy (PP)  
**Sent:** 7/22/2022 4:32:13 PM  
**To:** Byrne, Andrew [Byrne.Andrew@epa.gov]  
**Subject:** Re: Follow-up re: meeting on Proposed Donlin Gold Mine in Southwest Alaska

i will mark my calendar and will listen in; please notice me of log in prompts; and call in numbers; i almost always have connectivity issues.....let me know the date and time prior to....

Ex. 6 Personal Privacy (PP) Chevak, Alaska 99563

On Friday, July 22, 2022, 06:35:13 AM HADT, Byrne, Andrew <byrne.andrew@epa.gov> wrote:

Sophie,

I apologize for the delay in my response. Would representatives for the Yukon-Kuskokwim Tribes be available next Thursday, July 28<sup>th</sup>, 11:00am – 12:00pm Alaska time? Our leadership would be available during that time. If that time does not work, please let us know if there is another time that works for you.

Thank you very much.

**Andy Byrne**

Senior Advisor, Policy & Partnerships Team

American Indian Environmental Office

Office of International and Tribal Affairs

U.S. Environmental Protection Agency

(202) 564-3836 (desk)

Ex. 6 Personal Privacy (PP) (mobile)

Creating Tangible Environmental Results with Tribes

Find out more at [www.epa.gov/tribal](http://www.epa.gov/tribal)

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**From:** Byrne, Andrew  
**Sent:** Thursday, July 14, 2022 5:28 PM  
**To:** Sophie Swope <sophie@motherkuskokwim.org>

**Cc:** Lindsey Bloom <lindsey@salmonstate.org>; Gisela Chapa <gchapa@nativecouncil.org>;

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP) Wright, Felicia <Wright.Felicia@epa.gov>; Baca, Andrew <Baca.Andrew@epa.gov>; Baron, Adam <Baron.Adam@epa.gov>; Hackel, Angela <Hackel.Angela@epa.gov>; Gude, Karen <Gude.Karen@epa.gov>; Stewart, Lakita <Stewart.Lakita@epa.gov>

**Subject:** RE: Follow-up re: meeting on Proposed Donlin Gold Mine in Southwest Alaska

Hello Sophie,

Thank you for that information, we will confirm with our management and get back to you shortly. A note that I am not in the office tomorrow but will be back on Monday.

Thank you.

**Andy Byrne**

Senior Advisor, Policy & Partnerships Team

American Indian Environmental Office

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**From:** Sophie Swope <sophie@motherkuskokwim.org>

**Sent:** Thursday, July 14, 2022 1:57 PM

**To:** Byrne, Andrew <Byrne.Andrew@epa.gov>

**Cc:** Lindsey Bloom <lindsey@salmonstate.org>; Gisela Chapa <gchapa@nativecouncil.org>; Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Kathleen Lance

<Kathleen.lance@ncdenr.gov>; Wright, Felicia <Wright.Felicia@epa.gov>; Baca, Andrew <Baca.Andrew@epa.gov>; Baron, Adam <Baron.Adam@epa.gov>; Hackel, Angela <Hackel.Angela@epa.gov>; Gude, Karen <Gude.Karen@epa.gov>; Stewart, Lakita <Stewart.Lakita@epa.gov>

**Subject:** RE: Follow-up re: meeting on Proposed Donlin Gold Mine in Southwest Alaska

Good afternoon Mr. Byrne,

Thank you and Jane for making the time to meet with us on these issues.

Is there a date and time that would work well for you the week of the 25<sup>th</sup>?

We are on Alaska time, if that effects scheduling times in any way.

We look forward to getting together.

Quyana Caknek,

Sophie

Anaan'arar

Sophie Irene Swope

Director

Mother Kuskokwim Tribal Coaliton

907-545-4764

[sophie@motherkuskokwim.org](mailto:sophie@motherkuskokwim.org)

----- Forwarded message -----

From: **Byrne, Andrew** <[Byrne.Andrew@epa.gov](mailto:Byrne.Andrew@epa.gov)>

Date: Wed, Jul 13, 2022 at 12:11 PM

Subject: RE: Follow-up re: meeting on Proposed Donlin Gold Mine in Southwest Alaska

To: [lindsey@salmonstate.org](mailto:lindsey@salmonstate.org) <[lindsey@salmonstate.org](mailto:lindsey@salmonstate.org)>

CC: [REDACTED] Ex. 6 Personal Privacy (PP)  
[REDACTED] Ex. 6 Personal Privacy (PP)  
[REDACTED] Ex. 6 Personal Privacy (PP), Kathleen Lance

<[Kathleen.lance@ncdenr.gov](mailto:Kathleen.lance@ncdenr.gov)>, [anaanarar@nativemovement.org](mailto:anaanarar@nativemovement.org) <[anaanarar@nativemovement.org](mailto:anaanarar@nativemovement.org)>, Wright, Felicia  
<[Wright.Felicia@epa.gov](mailto:Wright.Felicia@epa.gov)>, Baca, Andrew <[Baca.Andrew@epa.gov](mailto:Baca.Andrew@epa.gov)>, Baron, Adam <[Baron.Adam@epa.gov](mailto:Baron.Adam@epa.gov)>, Hackel,  
Angela <[Hackel.Angela@epa.gov](mailto:Hackel.Angela@epa.gov)>, Gude, Karen <[Gude.Karen@epa.gov](mailto:Gude.Karen@epa.gov)>, Stewart, Lakita <[Stewart.Lakita@epa.gov](mailto:Stewart.Lakita@epa.gov)>

Ms. Bloom,

My name is Andy Byrne, I am a senior advisor on Jane Nishida's staff within EPA. EPA would be glad to find a mutually acceptable time to discuss the issues raised in your email below. If possible, could you please suggest a few dates and times that work for the representative Yukon-Kuskokwim (Y-T) Tribes?

Thank you very much, the EPA looks forward to this upcoming discussion!

**Andy Byrne**

Senior Advisor, Policy & Partnerships Team

American Indian Environmental Office

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**From:** Lindsey Bloom <[lindsey@salmonstate.org](mailto:lindsey@salmonstate.org)>

**Sent:** Monday, June 27, 2022 3:13 PM

**To:** Chase, Joann <[Chase.Joann@epa.gov](mailto:Chase.Joann@epa.gov)>

**Cc:** Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP) Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Pirzadeh, Michelle <[Pirzadeh.Michelle@epa.gov](mailto:Pirzadeh.Michelle@epa.gov)>; Kathleen Lance <[Kathleen.lance@ncdenr.gov](mailto:Kathleen.lance@ncdenr.gov)>; Wilson, Wenona <[Wilson.Wenona@epa.gov](mailto:Wilson.Wenona@epa.gov)>; Baca, Andrew <[Baca.Andrew@epa.gov](mailto:Baca.Andrew@epa.gov)>; Dieu, Martin <[Dieu.Martin@epa.gov](mailto:Dieu.Martin@epa.gov)>; Hackel, Angela <[Hackel.Angela@epa.gov](mailto:Hackel.Angela@epa.gov)>; Wright, Felicia <[Wright.Felicia@epa.gov](mailto:Wright.Felicia@epa.gov)>; [anaanarar@nativemovement.org](mailto:anaanarar@nativemovement.org)

**Subject:** Re: Follow-up re: meeting on Proposed Donlin Gold Mine in Southwest Alaska

Dear Ms. Chase and EPA team,

The Tribes would like to renew our request to meet again and discuss EPA's opportunities to partner on protecting our lands waters and ways of life on the Kuskokwim River. Please let us know if you are able to meet on zoom or in person to get and update? Quyana!

Anaan'arar (Sophie) Swope Director, Mother Kuskokwim Tribal Coalition

Lindsey Bloom, SalmonState

On Fri, Jan 14, 2022 at 3:31 PM Lindsey Bloom <[lindsey@salmonstate.org](mailto:lindsey@salmonstate.org)> wrote:

Ms. Chase et. al. Thank you for continuing the dialogue on this issue. Please see response below:

Dear Ms. Chase,

Thank you for following up. Yukon-Kuskokwim (Y-K) Tribes appreciate the EPA's willingness to follow up with the Corps and to engage with the Tribes. For your information, Y-K Tribes have recently heard back from the Corps and have a mtg. Scheduled for next week.

Y-K Tribes respectfully reiterate that there are several affirmative actions that EPA could and should take to protect the Tribes' interests by preventing the Donlin mine from going forward. For example, since August 2021, both in writing and in person at our last meeting, Y-K Tribes requested that the EPA exercise its 404(c) veto authority to prevent the proposed Donlin mine from going forward. Y-K Tribes also requested that the EPA support their request that the Corps rescind its 404 permit for dredge and fill and insist that the EPA's sister agencies listen to Y-K tribes and prioritize environmental justice.

Y-K Tribes renew the requests restated above and outlined in the briefing document provided to the EPA in August 2021 (reattached). The Tribes also submit the following three additional requests that the EPA:

1. Meet with Y-K Tribes to discuss these and prior requests and to continue this dialogue regarding the proposed Donlin mine. Y-K Tribes request a meeting in the second or third week of December with no less than 10 days' advance notice in order to coordinate travel and schedules.
2. Submit a letter on the record to the Corps requesting that it conduct a revised or supplemental environmental impact statement based on new information such as the recent crash in salmon populations in the Yukon-Kuskokwim Region. A revised or supplemental environmental impact statement (EIS) should assess at least the following areas:
  - a. Decimated salmon runs. A revised or supplemental EIS should account for the sharp decline in salmon, including chinook and chum, throughout the Yukon-Kuskokwim region, and how further impacts from the proposed Donlin Mine could compound these effects.
  - b. Compensatory mitigation. A revised or supplemental EIS should conduct a functional analysis of the impacts lost due to the mine and provide an explanation of how the proposed mitigation would compensate for those losses.
  - c. Risk of tailings dam failure. A revised or supplemental EIS should provide a realistic analysis of tailings dam failure.

d. Cumulative impacts, including but not limited to:

- Barging impacts to the Kuskokwim River. A revised or supplemental EIS should explain how monitoring or other measures identified as mitigation would avoid or minimize effects to the Kuskokwim River and to subsistence.
- Climate change. A revised or supplemental EIS should thoroughly explain the ways that climate change would alter the proposed Mine's impacts and put the quantification of greenhouse gas emissions (GHG) into context and explain its significance. Additionally, a revised or supplemental EIS should quantify GHG emissions due to melting permafrost and other effects like increased fires due to climate change or soil disturbance.
- Increased development of industrial mining in the Kuskokwim Region. A revised or supplemental EIS should thoroughly analyze Donlin's role in opening up Southwest Alaska, including the Kuskokwim Region, and other areas along the pipeline route to industrial mining.

Of course, any revised or supplemental EIS process must ensure that there is meaningful tribal consultation and involvement.

3. Amend the 404(b)(1) Guidelines to supersede the 1994 Alaska Wetlands Initiative and other EPA and Army Corps' memoranda regarding compensatory mitigation in Alaska, which have been applied, including in the Donlin permitting process, to provide lesser protection and compensation for Alaska wetlands than for wetlands in other regions of the country. As proposed, more than 90 percent of the compensatory mitigation for the Donlin Mine would take place in the form of preservation hundreds of miles away, across the Alaska Range, in a different watershed and in a different region of Alaska than where the majority of the impacts would occur.

Finally, besides the tribal resolutions provided to the EPA in August showing regional tribal opposition to the mine, Y-K Tribes provide the following additional post-EIS information for EPA's consideration:

- Decimated salmon runs in the Y-K Region this summer constituted an emergency requiring fish to be shipped in from other regions. *Dunleavy Administration Coordinates Salmon Donations to Yukon-Kuskokwim Region*, July 23, 2021 (Att. 15); *Low King Salmon Runs in Western Alaska Trigger Bering Sea Bycatch Caps*, Sept. 28, 2021 (Att. 10); *Why Are the Chum Runs So Low?*, Aug. 28, 2021 (Att. 4); *Yukon River Residents Received Donations from Bristol Bay*, Aug. 12, 2021 (Att. 5); *Yukon Subsistence Users Go to New Lengths For Food After Massive Salmon Decline*, Aug. 13, 2021 (Att. 6).
- Results of a survey of Orutsararmiut Native Council tribal members and other Bethel residents indicating strong opposition to the Donlin mine. *Tribal Citizens voice strong opposition to Donlin Gold in recent Orutsararmiut Native Council survey*, Nov. 3, 2021 (Att. 8).
- Shareholders and an Alaska Native village corporation requests that Calista, the for-profit ANCSA Regional Corporation for the Y-K Region, put the issue of the Donlin mine to a vote. *Calista*

*Shareholders Voice Dissent Over Donlin Mine In Letter To Board*, Feb. 14, 2019 (Att. 11); *Mountain Village Corporation Wants Vote On Donlin Mine*, Oct. 16, 2019 (Att. 12).

- The State of Alaska's continued disregard for Tribes and failure to protect fish habitat and the people that depend on the fish and water in the Kuskokwim Region. Fish Habitat Permits for Donlin Gold, Aug. 30, 2018 (Att. 1); Alaska Right-of-Way Reissuance Decision, July 19, 2021 (Att. 26); Donlin Water Rights Permits, Apr. 26, 2021 (Att. 2); *What Judge's Donlin Water Certificate Recommendation Could Mean For Proposed Mine*, Apr. 14, 2021 (Att. 14); *Judge Recommends State Not Uphold Donlin Mine Water Certificate*, Apr. 13, 2021 (Att. 13).
- Statements in the public record indicating that other mines and mining districts, including Pebble, Flat Gold, and the Estelle Mining District, are interested in connecting with Donlin Gold's infrastructure, should the Donlin Mine be built. *In secret recordings, Pebble Mine execs say Donlin mine is too expensive to build*, Sept. 21, 2020 (Att. 16); *Evolution Capital Advisors, Nova Minerals LTD*, June 15, 2020 (Att. 7); *Canadian company explores potential gold mine near Donlin*, Oct. 6, 2021 (Att. 9).
- A chapter of a master's engineering thesis documenting federal agencies' limited success and particular failures to meaningfully consult with and involve Y-K Tribes and residents during the Donlin permitting process. Teschner Thesis, Ch. 2 (Att. 17).

We look forward to hearing from you.

Quyana,  
Kasigluk Traditional Council  
Native Village of Kwigillingok  
Chevak Traditional Council  
Native Village of Nunapitchak

On Tue, Oct 26, 2021 at 1:45 PM Chase, Joann <[Chase.Joann@epa.gov](mailto:Chase.Joann@epa.gov)> wrote:

Ms. Bloom, Mr. Slats, Ms. Brink, Mr. Phillip and Ms. Simeon,

Thank you for your follow-up email dated August 22, 2021 which summarized our meeting on August 10, 2021. I have coordinated with my colleagues in EPA and look forward to continuing to work with you on the issues you identified.

I am in the process of reaching out to Acting Assistant Secretary Pinkham at the US Army Corps of Engineers. I will share what you conveyed during our meeting, as well as the materials you shared in advance, and recommend they meet with you to discuss these issues. I will follow up with you directly once I have connected with the Acting Assistant Secretary.

Currently there are no active decisions related to the Donlin Gold Project with EPA for review or action. However, EPA is glad to assist and serve as a convenor and connector to ensure the issues you discussed with us are heard. Across the federal family. If you have any questions please contact me or Felicia Wright, American Indian Environmental Office Deputy Director, [atwright.felicia@epa.gov](mailto:atwright.felicia@epa.gov) or 202-566-1886.

In Spirit,

JoAnn

**JoAnn K. Chase***(Mandan, Hidatsa & Arikara)*

Director, American Indian Environmental Office &

Senior Advisor

Ex. 6 Personal Privacy (PP) cell

(202) 564-1728desk